



RE: Redesignation of Argonne Drums stored at CWC - Requested by Albert Chang September 22, 2011  
Conaway, Kathy (ECY)

to:

Dave Bartus, Biebesheimer, Joannette (ECY)

12/15/2011 05:09 PM

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From: "Conaway, Kathy (ECY)" <KCON461@ECY.WA.GOV>

To: Dave Bartus/R10/USEPA/US@EPA, "Biebesheimer, Joannette (ECY)" <JBIE461@ECY.WA.GOV>,

History: This message has been replied to.

We will help you and the current LDR report summary list RH-MLLW-07 for CWC and list characterization and treatment "according to M-091-43" which M-91 says will be according to LDR requirements. What is HLVT? I think this is what the LDR reg says use for treatment.

Are you available tomorrow? I need help in drafting material to tell WRAP that they must sample the drum that leaked. Their WAP (interim std WAP) says it will comply with all -300 WAC however, their WAP does not say to sample when the designation of a waste is wrong. The language should be short and sweet. Joannette and I are both here tomorrow.

**From:** Bartus.Dave@epamail.epa.gov [<mailto:Bartus.Dave@epamail.epa.gov>]

**Sent:** Thursday, December 15, 2011 2:06 PM

**To:** Biebesheimer, Joannette (ECY)

**Cc:** Conaway, Kathy (ECY)

**Subject:** Re: Redesignation of Argonne Drums stored at CWC - Requested by Albert Chang September 22, 2011

Very interesting. I'm not particularly worried about the re-designation (subject to comment 3) below) if in fact the analysis is sound. That said, the document raises a number of troubling questions that I really think need to be looked at.

1) The "re-designation" exercise seems to be based, with Ecology approval, on inclusion of the outer container as part of the waste for calculation of waste constituent concentrations. I've never heard of this, and would consider it a form of impermissible dilution, albeit via calculation rather than actual physical dilution. In particular, I'm looking at the language "Ecology suggested we look at adding packaging in the waste weight and re-evaluating the regulatory status of the waste." I'd recommend that someone look into who made this recommendation, and counseling them that adding the package weight to a waste for purposes of evaluating waste constituent concentration is NOT appropriate.

2) Apparently, Ecology is STILL considering in-trench treatment acceptable. See the particular language "It was agreed upon that the best defensible disposition pathway for the waste was obtaining a site-specific treatability variance from Ecology and treating by in-cell MACRO at MWDUs. As time and priorities permitted, a treatment variance was submitted to DOE-RL for approval, and they submitted the treatability variance to Ecology on 5/16/11." I'll repeat once again that in-trench treatment is NOT acceptable. I am very troubled that there even was some sort of "agreement" that Ecology would even consider accepting a treatability variance. I would like to research what the "agreement" might have been, and who entered into the agreement, presuming Ecology was in fact part of the agreement. Given the date of the e-mail (August 12, 2011) from which this text is taken, and the submission date, if Ecology was aware of this Ecology is culpable. I would also like to get a copy of the submitted treatability variance request.

3) While the "re-designation" to remove the three waste codes may be appropriate (the grouted/treated waste does not in fact exhibit a characteristic, it may well be that the waste at the point of generation did in fact exhibit a characteristic. If so, then LDR treatment standards would apply. I'm not clear from the attachment exactly when initial designation was performed (the original dissolver waste or after cementing). It may well be that the cemented waste does in fact meet LDR treatment standards, but if so, it begs the question of why a treatability variance was needed. I recommend a thorough and detailed review of both waste designation and compliance with LDR treatment requirements, and appropriate follow-up (if any).

4) There is a very odd sentence in the August 12 e-mail that states "They (the wastes) should be considered RH-MLLW (Treatability Group MLLW-07) for any intrusive waste management and waste tracking." What does this mean? Either the waste is or is not mixed - such consideration does NOT depend on whether the waste management is intrusive or otherwise. This should be clarified.

5) The issue of void space is a valid one. I guess I don't have a problem with use of high-integrity containers (HICs) for disposal of containers that don't meet the 90% fill limit, but I am really uncomfortable with the notion that the 90% fill limit can be satisfied following disposal. My recommendation is that the 90% fill limit, which is a WAC requirement for land disposal units, must be satisfied PRIOR to placement in a land disposal unit, just as LDR treatment standards must be met prior to placement in a land disposal unit. At a minimum, the draft permit conditions for Trench 31 and 34 should be reviewed to ensure appropriate enforceable requirements are in effect to this end.

My review was pretty quick, so I may have missed something. That said, I think I'm on sound ground to at least raise these issues. I'm rather troubled that so many of these issues seem to be popping up, and have NOT been addressed or resolved.

If you're willing to help me with document location and analysis, I'll be glad to follow-up with any oversight actions, if any, that may be appropriate.

I hope you don't mind me copying Kathy on this response.

Dave

-----"Biebesheimer, Joannette (ECY)" <[JBIE461@ECY.WA.GOV](mailto:JBIE461@ECY.WA.GOV)> wrote: -----

To: Dave Bartus/R10/USEPA/US@EPA  
 From: "Biebesheimer, Joannette (ECY)" <[JBIE461@ECY.WA.GOV](mailto:JBIE461@ECY.WA.GOV)>  
 Date: 12/15/2011 11:40AM  
 Subject: Redesignation of Argonne Drums stored at CWC - Requested by Albert Chang September 22, 2011

[attachment "20111215082009519.pdf" removed by Dave Bartus/R10/USEPA/US]